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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/540,901	09/18/2006	Yannick Rey	2198.009USU	1826

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EXAMINER

VANATTA, AMY B

ART UNIT	PAPER NUMBER
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3765

MAIL DATE	DELIVERY MODE
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03/24/2011

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/540,901	REY ET AL.	
	Examiner	Art Unit	
	Amy B. Vanatta	3765	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 10-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 June 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>06272005</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 10-12 and 17-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Melzer (US 4,960,361).

Melzer discloses a method as in claim 10, including placing a textile piece 3 on a non-porous mask 4 having a shape corresponding to at least a portion of the textile piece (see flat planar shape of textile piece 3 and mask 4 as shown in the figure of Melzer), moving a pick-up head 2 above the textile piece, the pick-up head having a shape corresponding to the shape of the non-porous mask (see flat planar shape of the bottom of the pick-up head 2 and the flat planar shape of the mask 4 as shown in the figure), and drawing suction through said pick-up head 2 so that the textile piece 3 is held between said non-porous mask 4 and said pick-up head 2 (see col. 2, lines 1-13, Abstract, and the figure). Melzer discloses moving the pick-up head 2 to carry the textile piece and the non-porous mask to a processing area (II), as in claim 11 (see figure and col. 2, lines 5-17). Regarding claim 12, Melzer discloses a step of moving the pick-up head to carry the textile piece and the non-porous mask to the area II; the area II forms an “arrival area” for the processing stations (col. 2, lines 5-8), to the extent recited in claim 12.

Melzer discloses a device for processing a porous textile piece as in claim 17 (see Abstract of Melzer and col. 1, lines 13-14 and 18-20) comprising a non-porous mask 4 having a shape corresponding to at least a portion of the textile piece 3 (see flat planar shape of textile piece 3 and mask 4 as shown in the figure of Melzer) and a pick-up head 2 having a suction plate, the suction plate having a shape corresponding to the shape of the non-porous mask 4 (see flat planar shape of the bottom of the pick-up head 2 and the flat planar shape of the mask 4 as shown in the figure). Suction applied by the suction plate sandwiches the textile piece 3 between said non-porous mask 4 and said suction plate (see the figure and col. 2, lines 1-10).

The device of Melzer includes a device for moving said pick-up head 2 while the textile piece 3 is sandwiched between said non-porous mask 4 and said suction plate (see col. 2, lines 8-10), as in claim 18. Melzer discloses that the suction lifter 2 is moved in coordinated pivoting and lifting movements (col. 2, lines 8-10), and thus the means for moving the suction lifter 2 forms a “multi-axis robot” as broadly recited in claim 19.

Regarding claim 20, the transferring of the textile piece from station I to station II may be interpreted as constituting a “processing” of the textile. I.e., the moving of the textile constitutes “processing” of the textile to the extent such processing is broadly recited in claims 20-21. Thus, the device of Melzer comprises a processing area for processing the textile piece (i.e. the processing area is the movement area spanning stations I and II in the figure) while the textile piece is sandwiched between said non-porous mask 4 and said suction plate 2. As such, station I forms a departure area for

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picking up the textile piece before processing at said processing area and station II forms an arrival area for placing the textile piece after processing (i.e. after transfer from I to II) at said processing area, as in claim 21.

Regarding claim 22, the suction plate 2 comprises two separated parts; see horizontally extending part and separate vertically extending part as shown in the figure of Melzer, which form two separated parts as broadly recited in claim 22.

Allowable Subject Matter

3. Claims 13-16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amy B. Vanatta whose telephone number is 571-272-4995. The examiner can normally be reached on Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gary Welch can be reached on 571-272-4996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Amy B Vanatta/
Primary Examiner
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